

# **EXHIBIT 2**

From: Adam Slater <[ASlater@mazieslater.com](mailto:ASlater@mazieslater.com)>  
Sent: Wednesday, November 2, 2022 12:39 PM  
To: Miller, Jessica D <[Jessica.Miller@skadden.com](mailto:Jessica.Miller@skadden.com)>  
Cc: Christopher Geddis <[CGeddis@mazieslater.com](mailto:CGeddis@mazieslater.com)>; [valpec@kirtlandpackard.com](mailto:valpec@kirtlandpackard.com); Richard T Bernardo <[Richard.Bernardo@skadden.com](mailto:Richard.Bernardo@skadden.com)>  
Subject: Re: [EXTERNAL]Plaintiffs' Expert Reports - Dr. Susan Bain and Dr. Stephen Hecht

That is not how we have ever proceeded in this litigation - defendants have always produced their expert reports before the depositions of plaintiff experts. I'm not sure what other MDL's you have been in but I have never produced my experts before receiving the defense expert reports.

On Nov 2, 2022, at 12:25 PM, Miller, Jessica D  
<[Jessica.Miller@skadden.com](mailto:Jessica.Miller@skadden.com)<<mailto:Jessica.Miller@skadden.com>>> wrote:

Adam,  
I may be missing something since I am not completely familiar with the history of this litigation. Does the CMO state that we cannot depose your experts before producing our reports? In every other MDL I have ever been involved with we depose the plaintiffs' experts prior to producing our experts' reports. Since the plaintiffs have the burden of proof that is the standard way to do things, no?  
Thanks,  
Jessica

Jessica Davidson Miller  
Skadden, Arps, Slate, Meagher & Flom LLP  
1440 New York Avenue, N.W. | Washington | D.C. | 20005-2111  
T: 202.371.7850 | M: 202.203.9145  
[jessica.miller@skadden.com](mailto:jessica.miller@skadden.com)<<mailto:jessica.miller@skadden.com>>

Skadden